

Remarks

This Amendment is in response to the Office Action mailed January 2, 2003. In the Office Action, the Examiner rejected claims 7, 8, 18, 19, 27, and 28 under 35 U.S.C. § 112, rejected claims 1-2, 6-8, 12-13, and 17-19 under 35 U.S.C. § 102, and rejected claims 3, 4, 5, 9, 10, 11, 14, 15, 16, 20, 21, 22, 23, 24, 25-29, 30, and 31 under 35 U.S.C. § 103. Applicant has added claims 32-42, and amended claims 1, 12, and 23. Claims 1-42 remain pending in the application. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Rejection Under 35 U.S.C. § 112

1. The Examiner rejects claims 7, 8, 18, 19, 27, and 28 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 7, 18, and 27 are rejected because the Examiner considers it unclear what is meant by "an intermediate switching media type". Claims 8, 19, and 28 are rejected because they depend from claims 7, 18, and 27 respectively.

Support for claims 7, 18, and 27 may be found at page 12, lines 5-12, of the specification which describes a three stage switching process. In the described embodiment, various types of media streams are converted to ATM cells, switched, and then the ATM cells are converted to the various outgoing media types. With this background, "an intermediate switching media type" can be readily understood using ordinary dictionary meanings to

mean a media type that comes between the first and second media types and is used for switching.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 7, 8, 18, 19, 27, and 28 under 35 U.S.C. § 112, second paragraph.

Rejection Under 35 U.S.C. § 102

4. The Examiner rejects claims 1-2, 6-8, 12-13, and 17-19 under 35 U.S.C. § 102(e) as being anticipated by Akhtar (US 6,172,973).

The Examiner asserts that Akhtar discloses "means for receiving a voice call having a first media type being one of TDM voice/fax, VoIP, VoATM and VoFR, and a first signaling type corresponding to said first media type" citing Akhtar's disclosure of means for receiving voice calls in a TDM format. The Examiner appears to understand the claimed switch apparatus as being a switch that converts one first media type chosen from TDM voice/fax, VoIP, VoATM and VoFR to one second media type chosen from TDM voice/fax, VoIP, VoATM and VoFR. This is not what is claimed. The claimed switch apparatus is an any-to-any media type switch as described in the specification on page 12, line 16, through page 13, line 3. Applicant has amended claims 1 and 12 to make clear that means for receiving a voice call is for a first media type of any one of TDM voice/fax, VoIP, VoATM and VoFR and that the means for converting can convert to any one of TDM voice/fax, VoIP, VoATM and VoFR. This clearly distinguishes the present invention from the disclosure of Akhtar that only shows conversion from the single TDM voice medium to the single VoATM medium.

Further, the Examiner asserts that Akhtar discloses "means for relaying signaling associated with said voice call of said first signaling type to a second signaling type corresponding to said second media type" citing figure 3, claim 1, and the abstract. Akhtar actually teaches away from this claim limitation. Akhtar discloses that the signaling is not converted from the first signaling type to a second signaling type, but rather that a three-way connection is setup to include a co-located TDM switch for controlling the call. Claim 1; col. 4, lines 11-18.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 1-2, 6-8, 12-13, and 17-19 under 35 U.S.C. § 102(b) as being anticipated by Akhtar.

Rejection Under 35 U.S.C. § 103

6. The Examiner rejects claims 3 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Akhtar in view of Chu et al. (US 5,956,334).

Applicant relies on the patentability of the claims from which these claims depends to traverse the rejection without prejudice to any further basis for patentability of these claims based on the additional limitations recited.

7. The Examiner rejects claims 9, 11, 20, and 22 under 35 U.S.C. § 103(a) as being unpatentable over Akhtar in view of Lee (US 6,252,847).

Applicant relies on the patentability of the claims from which these claims depends to traverse the rejection without prejudice to any further basis for patentability of these claims based on the additional limitations recited.

8. The Examiner rejects claims 5 and 16 under 35 U.S.C. § 103(a) as being unpatentable over Akhtar in view of Chu as applied to claims 3 and 14 above and further in view of Lee.

Applicant relies on the patentability of the claims from which these claims depends to traverse the rejection without prejudice to any further basis for patentability of these claims based on the additional limitations recited.

9. The Examiner rejects claims 4 and 15 under 35 U.S.C. § 103(a) as being unpatentable over Akhtar in view of Chu as applied to claims 3 and 14 above and further in view of Martin (US 6,154,776).

Applicant relies on the patentability of the claims from which these claims depends to traverse the rejection without prejudice to any further basis for patentability of these claims based on the additional limitations recited.

10. The Examiner rejects claims 10 and 21 under 35 U.S.C. § 103(a) as being unpatentable over Akhtar in view of Lee as applied to claims 9 and 20 above and further in view of Martin.

Applicant relies on the patentability of the claims from which these claims depends to traverse the rejection without prejudice to any further basis for patentability of these claims based on the additional limitations recited.

11. The Examiner rejects claims 23 and 25-29 under 35 U.S.C. § 103(a) as being unpatentable over Bartholomew (US 5,712,903).

The Examiner asserts that Bartholomew discloses "said broadband connection having a first media type being one of TDM voice/fax, VoIP, VoATM and VoFR" citing figure 8. The Examiner appears to understand the claimed broadband interface as having a connection to receive one first media type chosen from TDM voice/fax, VoIP, VoATM and VoFR. This is not what is claimed. The claimed switch apparatus is an any-to-any media type switch as described in the specification on page 12, line 16, through page 13, line 3. Applicant has amended claim 23 to make clear that the first media type is any one of TDM voice/fax, VoIP, VoATM and VoFR.

The Examiner further asserts that Bartholomew discloses "said narrowband connection having a second media type being another of TDM voice/fax, VoIP, VoATM and VoFR" citing the narrowband telephone call of figure 8. As for the first media type, the second media type is not limited to one second media type chosen from TDM voice/fax, VoIP, VoATM and VoFR. Applicant has amended claim 23 to make clear that the second media type is any one of TDM voice/fax, VoIP, VoATM and VoFR.

Applicant respectfully submits that the any-to-any switching of the present invention clearly distinguishes the present invention from the disclosure of Bartholomew that only shows conversion from the single narrowband T1 voice medium to the single VoATM medium.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 23 and 25-29 35 U.S.C. § 103(a) as being unpatentable over Bartholomew (US 5,712,903).

12. The Examiner rejects claims 24 and 30 under 35 U.S.C. § 103(a) as being unpatentable over Bartholomew in view of Chu.

Applicant relies on the patentability of the claims from which these claims depends to traverse the rejection without prejudice to any further basis for patentability of these claims based on the additional limitations recited.

13. The Examiner rejects claim 31 under 35 U.S.C. § 103(a) as being unpatentable over Bartholomew in view of Chu as applied to claim 30 above and further in view of Rathnavelu (US 5,914,934).

Applicant relies on the patentability of the claims from which these claims depends to traverse the rejection without prejudice to any further basis for patentability of these claims based on the additional limitations recited.

Conclusion

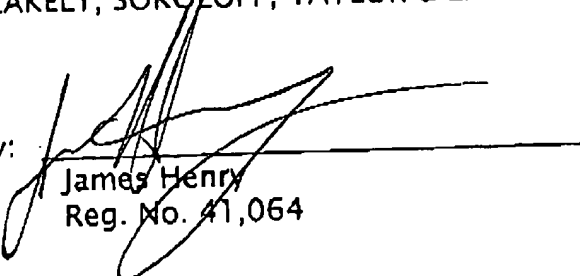
In view of the amendments and remarks made above, it is respectfully submitted that the pending claims are in condition for allowance, and such action is respectfully solicited.

Respectfully submitted,

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